

Message Text

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ORIGIN DLOS-04

INFO OCT-01 ARA-10 ISO-00 FEA-01 ACDA-10 AGR-10 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-02 OFA-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-04 ERDA-07 FMC-02 TRSE-00

H-02 INR-07 INT-05 IO-10 JUSE-00 L-03 NSAE-00 NSC-05

NSF-02 OES-05 OMB-01 PA-02 PM-03 PRS-01 SP-02 SS-15

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TO AMEMBASSY QUITO PRIORITY

INFO AMEMBASSY BOGOTA

AMEMBASSY GUATEMALA

AMEMBASSY LIMA

AMEMBASSY MANAGUA

AMEMBASSY MEXICO

AMEMBASSY PANAMA

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

AMEMBASSY SANTIAGO

AMEMBASSY TEGUCIGALPA

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SUBJECT: PROPOSED PRINCIPLES FOR A REGIONAL CONSERVATION

UNCLASSIFIED

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AGREEMENT FOR HIGHLY MIGRATORY SPECIES IN THE CONTEXT OF
A NEW LAW OF THE SEA TREATY

1. IN ORDER TO ENSURE CONSERVATION AND OPTIMUM UTILIZATION

OF TUNA AND CERTAIN OTHER SPECIES OF FISH, A MULTILATERAL REGIONAL ORGANIZATION SHOULD BE ESTABLISHED.

2. STATES WHICH ARE WITHIN THE PERTINENT GEOGRAPHICAL OR ECOLOGICAL REGION SHALL BE MEMBERS OF THE ORGANIZATION. IN ORDER TO ENSURE CONSERVATION AND OPTIMUM UTILIZATION, BOTH WITHIN AND BEYOND 200 MILES (ASTERICK FOOTNOTE: THE USE OF THE TERM QUOTE 200 MILES UNQUOTE IS WITHOUT PREJUDICE TO THE POSITION OF ANY GOVERNMENT WITH RESPECT TO THIS ISSUE OR ITS DISCUSSION IN OTHER FORUMS.) THE AGREEMENT SHALL CONTAIN PROVISIONS CONCERNING THE MEMBERSHIP STATUS OF INTERESTED FISHING NATIONS FROM OUTSIDE THE REGION. THESE PROVISIONS WILL ENSURE THAT ALL NATIONS FISHING IN THE AREA PARTICIPATE IN THE ORGANIZATION AND ARE SUBJECT TO ITS REGULATIONS.

3. THE MEMBER GOVERNMENTS, ACTING THROUGH THE ORGANIZATION, SHALL HAVE THE RESPONSIBILITY FOR ENSURING, BOTH WITHIN AND BEYOND 200 MILES, CONSERVATION AND OPTIMUM UTILIZATION OF THE STOCKS. THE ORGANIZATION SHALL ENSURE THAT ALL RELEVANT INTERESTS ARE ACCOMMODATED, PARTICULARLY THOSE INTERESTS OF THE COASTAL STATES OF THE REGION. IN THIS REGARD:

(A) DETERMINATION WITH RESPECT TO THE OVERALL ALLOWABLE CATCH AND OTHER CONSERVATION MEASURES SHALL BE BASED UPON THE BEST SCIENTIFIC EVIDENCE AVAILABLE AND DESIGNED TO ACHIEVE THE OPTIMAL SUSTAINABLE YIELD OF THE TOTAL STOCK;

(B) THE MEMBER GOVERNMENTS, ACTING THROUGH THE ORGANIZATION, SHALL ADOPT AND ALLOCATE THE TOTAL ALLOWABLE CATCH AND ESTABLISH OTHER MEASURES TO ENSURE CONSERVATION AND OPTIMUM UTILIZATION THROUGHOUT THE REGION;

(C) THERE WILL BE AN APPROPRIATE COASTAL STATE PREFERENCE TO FISH THE RESOURCE WITHIN 200 MILES. CONSISTENT WITH THE PRINCIPLES OF OPTIMUM UTILIZATION OF THE TOTAL UNCLASSIFIED

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RESOURCE AND CONSERVATION REGULATIONS, EACH COASTAL STATE SHALL HAVE THE RIGHT TO HARVEST ITS ALLOCATED SHARE WITHIN 200 MILES OFF ITS COAST; AND

(D) THE ORGANIZATION SHALL ESTABLISH A UNIFORM SYSTEM OF VESSEL DOCUMENTATION, A SYSTEM FOR COLLECTION OF UNIFORM FEES FOR FISH CAUGHT ANYWHERE IN THE REGULATORY AREA, A SYSTEM FOR COLLECTION OF STATISTICS FOR LANDINGS AND FISHING EFFORT, AND A UNIFORM SYSTEM OF FINES AND PENALTIES FOR VIOLATIONS. THESE FEES SHALL SERVE TO DEFRAY THE COSTS OF THE ORGANIZATION AND, AS APPROPRIATE, SHALL BE DISTRIBUTED TO COASTAL STATES.

4. THE MEMBER GOVERNMENTS, ACTING THROUGH THE ORGANIZATION, SHALL ESTABLISH A COOPERATIVE ENFORCEMENT PROCEDURE. PURSUANT TO THIS PROCEDURE, MEMBERS WILL AGREE THAT EACH COASTAL STATE WILL TAKE ALL NECESSARY MEASURES FOR ENFORCEMENT WITH RESPECT TO THEIR FISHING VESSELS WITHIN 200 MILES, SUBJECT TO PROMPT RELEASE OF VESSELS AND CREW UPON POSTING OF REASONABLE BOND AND A PROHIBITION ON IMPRISONMENT OR OTHER FORMS OF CORPORAL PUNISHMENT FOR FISHING VIOLATIONS. BEYOND 200 MILES EACH MEMBER STATE SHALL TAKE ALL NECESSARY MEASURES FOR ENFORCEMENT WITH RESPECT TO ITS VESSELS AND, TO THE EXTENT AGREED, VESSELS OF OTHER MEMBERS.

5. WHERE THESE STOCKS MIGRATE WITHIN THE AREAS OF RESPONSIBILITY OF MORE THAN ONE REGIONAL ORGANIZATION, SUCH ORGANIZATIONS SHALL COOPERATE TO ENSURE THE CONSISTENCY OF CONSERVATION MEASURES. END TEXT.

6. SPANISH VERSION FOLLOWS.

7. INFO POSTS REQUESTED WITHHOLD DISTRIBUTION ENGLISH AND SPANISH TEXTS OF PRINCIPLES, PENDING INSTRUCTIONS FROM THE DEPARTMENT. INGERSOLL

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<< END OF DOCUMENT >>

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